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Docket 16952 CON-CIP3 (BOT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: K. ROGER AOKI et al.

Serial No.: 10/726,904

Filed: December 2, 2003

For: USE OF THE NEUROTOXIC  
COMPONENT OF A BOTULINUM  
TOXIN FOR TREATING VARIOUS  
DISORDERS AND CONDITIONS AND  
ASSOCIATED PAIN

Examiner: Anish Gupta

Group Art Unit: 1654

Confirmation No. 4172

Irvine, California

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant provides with regard to the above-identified patent application entitled USE OF THE NEUROTOXIC COMPONENT OF A BOTULINUM TOXIN FOR TREATING VARIOUS DISORDERS AND CONDITIONS AND ASSOCIATED PAIN, one copy of documents of which he is aware, which may be material to the examination of this application, and in respect of which there may be a duty of disclosure under 37 C.F.R. §1.56. A listing of the documents submitted is set forth on the attached 2 page Information Disclosure Citation (Form PTO-1449).


While these documents may be material pursuant to 37 C.F.R. §1.56, the disclosure is not intended to constitute an admission that the documents are prior art in regard to this invention. The filing of this Statement should not be

construed to mean that a search has been conducted or that no other material documents or information exists. These documents were disclosed in a Search Report in the foreign counterpart of the above-identified application, and was received less than three (3) months ago. Please do not hesitate to contact the undersigned should any questions arise regarding this Statement.

The Commissioner is hereby authorized to charge any fees required or necessary for the filing, processing or entering of this paper or any of the enclosed papers, and to refund any overpayment, to deposit account 01-0885.

Respectfully submitted,

Date: November 10, 2004

  
Stephen Donovan  
Attorney of Record  
Registration Number 33,433

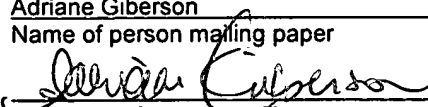
Please direct all inquiries and correspondence to:

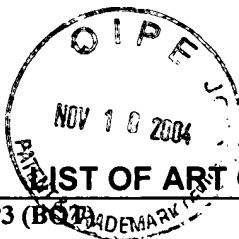
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CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. §1.10

I hereby certify that this Information Disclosure Statement and above-identified documents are being deposited with the United States Postal Service on **November 10, 2004** in an envelope as "Express Mail Post Office To Addressee" mailing label number **EV295681324US** with sufficient postage for Express Mail addressed to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: November 10, 2004

Adriane Giberson  
Name of person mailing paper  
  
Signature of person mailing paper



**LIST OF ART CITED BY APPLICANT**

<b>ATTY. DOCKET:</b> 16952 CON-CIP3 (BOT)	<b>SERIAL NO.:</b> 10/726,904
<b>APPLICANT:</b> K. ROGER AOKI et al.	<b>TITLE:</b> Use Of The Neurotoxic Component Of A Botulinum Toxin For Treating Various Disorders And Conditions And Associated Pain
<b>FILING DATE:</b> DECEMBER 2, 2003	<b>GROUP:</b> 1654

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE (if applicable)
	AA	5,696,077	12-09-1997	JOHNSON et al.	514	2	
	AB						
	AC						
	AD						
	AE						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION (yes/no)
	BA	WO 94/00481	06-22-1993	PCT	C07K	3/02	Y
	BB	WO 94/28922	06-07-1994	PCT	A61K	37/02	Y
	BC						

**OTHER ART**

(Including Author, Title, Date, Pertinent Pages, etc.)

	CA	Borodic, G.E., et al., "Botulinum B Toxin as an Alternative to Botulinum A Toxin: A Histologic Study," Ophtalmic Plastic and Reconstructive Surgery, Vol. 9, No. 3, pp. 182-190
	CB	Heneson, N., "Deadly toxin calms excited muscles," Science, 1990, p. 24
	CC	Jankovic, J., et al., "Therapeutic Uses of Botulinum Toxin," The New England Journal of Medicine, April 25, 1991, 1186-
	CD	Schantz, E., et al., "Properties and Use of Botulinum Toxin and Other Microbial Neurotoxins in Medicine," Microbiological Reviews, March 1992, pp. 80-99
	CE	Sellin, L.C., et al., "Different effects of types A and B botulinum toxin on transmitter release at the rat neuromuscular junction," Acta Physiol Scan, 1983; 119:127-133
	CF	
	CG	
	CH	
	CI	
	CJ	

EXAMINER \_\_\_\_\_ DATE CONSIDERED \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.